

### REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-6 and 8-13 will be pending. By this amendment, claim 7 has been canceled; and claims 1, 8-10, and 13 have been amended. No new matter has been added.

#### Objections to the Drawings

In Section 2 of the Office Action, Figures 1 and 2 are objected to for failing to designate the figures as Prior Art.

Corrected drawings in compliance with 37 CFR § 1.121(d) have been included in the Appendix.

#### Objections to the Specification

In Sections 3-5 of the Office Action, the Specification has been objected to.

The Specification has been corrected as follows: (1) the paragraph beginning at page 11, line 23 has been replaced; (2) a new title has been proposed; and (3) claim 7 has been canceled.

#### Objections to the Claims

In Section 6 of the Office Action, claim 1 is objected to because of informalities.

Claim 1 has been amended to correct the informalities.

§ 102 Rejection of Claims 1-10 and 13

In Section 8 of the Office Action, claims 1-10 and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by Gotoh et al. (U.S. Patent No. 6,052,465; hereinafter referred to as “Gotoh”). Claims 1, 8-10 and 13 have been amended to address the rejection.

In the Background of the Specification, it was indicated that “[w]hen the data recorded in the BCA 2 is to be reproduced, a reproducing apparatus generates a clock on the basis of a reproduced signal of the BCA-Preamble part by means of a PLL (Phase Locked Loop), and performs demodulation and error correction by a predetermined method on the basis of the clock to thereby reproduce the data. ... However, if the PLL loses synchronism in reproducing the data recorded in the BCA due to some defect, for example, the data cannot be reproduced until the PLL regains synchronism. This means that reproduced data is lost for a period when the synchronism of the PLL is lost. ... Also, if a synchronization signal (sync) is lost once due to a defect or the like, data may be lost until a next synchronization signal is detected.” *Background of the Specification, page 2, line 21 to page 3, line 12.*

“Therefore, high reliability is required for data recording and reproduction recorded in the BCA2. In order to reduce the amount of lost data, a method of frequently inserting a synchronization signal for resynchronization is conceivable; however, such insertion of the redundant synchronization signal reduces the amount of data recordable in the BCA.”

*Background of the Specification, page 3, line 20 to page 4, line 2.*

To address the above-described problems of a conventional data structure of data recorded in the BCA of a recording medium, embodiments of the present invention provide apparatuses, methods, and recording media for recording and playing back data on a recording medium. In particular, the recording medium of claim 1 includes an area for recording auxiliary

information, wherein each frame includes a synchronization signal whose pattern is formed by arranging marks or spaces in three or more contiguous channel bits.

For example, the configuration of recording medium claim 1, as presented herein, includes:

*“n blocks, each block of said n blocks obtained by dividing said second area into n equal parts in a circumferential direction; and*

*m frames, each frame of said m frames obtained by dividing said each block into m equal parts in the circumferential direction,*

*wherein said auxiliary information is arranged in said frames in such a manner as to be at equal intervals in the circumferential direction, and*

*wherein said each frame includes a synchronization signal whose pattern is formed by arranging marks or spaces in three or more contiguous channel bits, such that said synchronization signal provides synchronism necessary for a playback apparatus to read said auxiliary information recorded in said second area.”*

(emphasis added)

Therefore, the recording medium of claim 1 includes an area for recording auxiliary information, wherein each frame includes a synchronization signal whose pattern is formed by arranging marks or spaces in three or more contiguous channel bits, such that the synchronization signal provides synchronism necessary for a playback apparatus to read the recorded auxiliary information.

By contrast, although Gotoh discloses recording bar code information in a prescribed region of a pre-pit area, Gotoh fails to teach or suggest providing an area for recording auxiliary information, wherein each frame includes a synchronization signal whose pattern is formed by arranging marks or spaces in three or more contiguous channel bits, such that the synchronization signal provides synchronism necessary for a playback apparatus to read the recorded auxiliary information.

Based on the foregoing discussion, it is submitted that Gotoh fails to teach or suggest all the limitations of claim 1. Therefore, claim 1 should be allowable over Gotoh. Since independent claims 8-10 and 13 closely parallel, and include substantially similar limitations as, independent claim 1, claims 8-10 and 13 should also be allowable over Gotoh. Further, since claims 2-6 depend from claim 1, claims 2-6 should be allowable over Gotoh. Claim 7 has been canceled

Accordingly, it is submitted that the rejection of claims 1-10 and 13 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### § 103 Rejection of Claims 11 and 12

In Section 10 of the Office Action, claims 11 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gotoh in view of Horiguchi (U.S. Patent No. 5,380,996).

Based on the foregoing discussion regarding claim 10, and since claims 11 and 12 depend from claim 10, claims 11 and 12 should be allowable over Gotoh. Horiguchi was cited for disclosing using majority rule for error correction. Therefore, Gotoh and Horiguchi, individually and in combination, fail to teach or suggest all the limitations of claims 11 and 12.

Accordingly, it is submitted that the rejection of claims 11 and 12 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-6 and 8-13 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

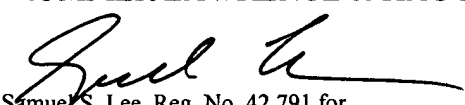
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

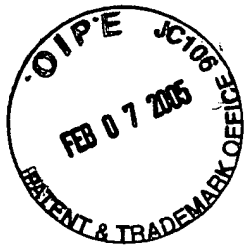
  
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Samuel S. Lee, Reg. No. 42,791 for  
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Attachments

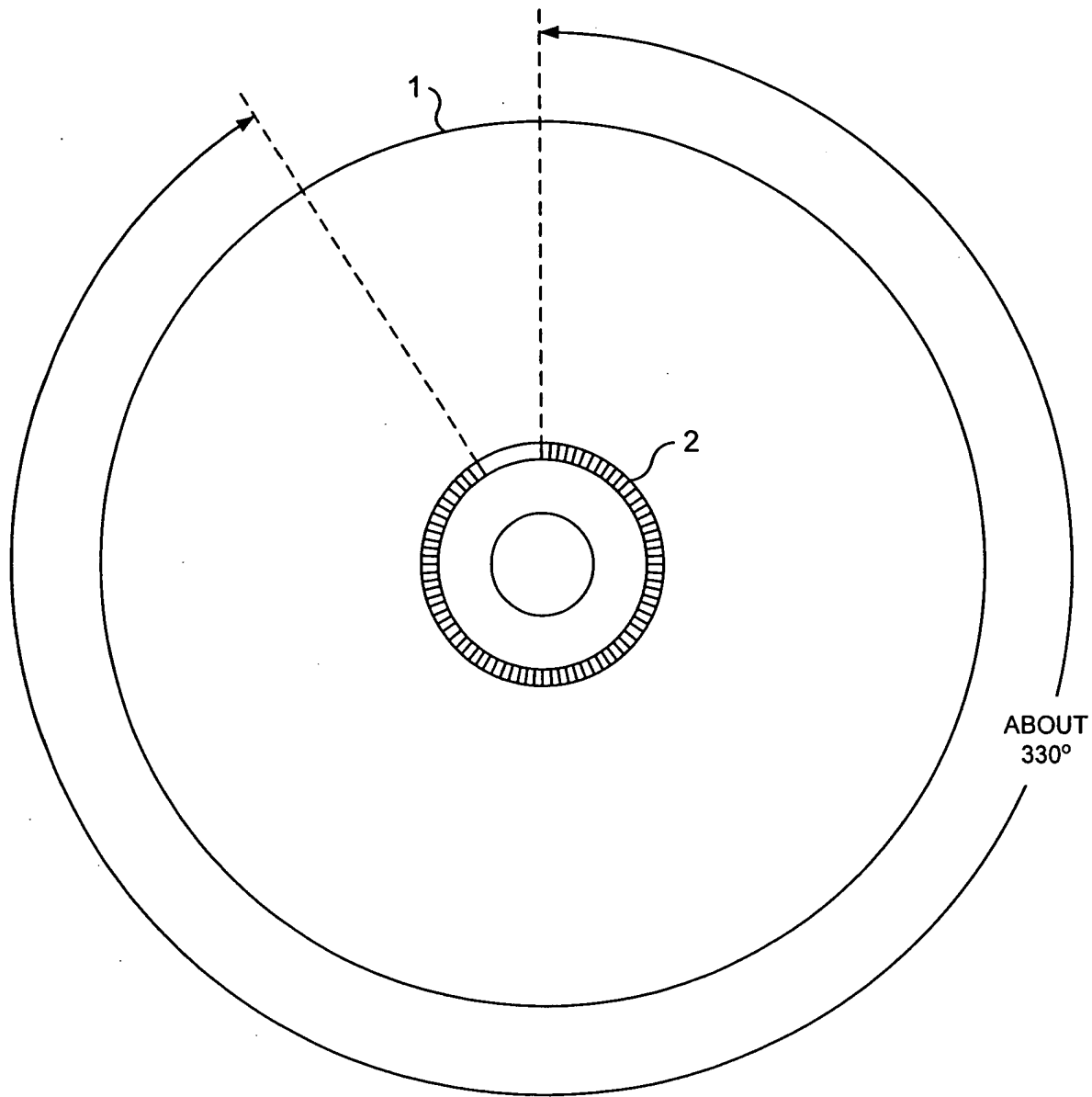
**Amendments to the Drawings:**

The attached sheets of drawing include change to FIG. 1 and FIG. 2. These sheets replace the original sheets including FIG. 1 and FIG. 2. In Figure 1, a legend labeled "Prior Art" has been added. In Figure 2, a legend labeled "Prior Art" has been added.

Attachment: Replacement Sheets  
Annotated Sheets Showing Changes



# FIG. 1



Legend Added

**(PRIOR ART)**



# FIG. 2

5 bytes					
1 byte	4 bytes				
SB <sub>BCA</sub>	BCA – Preamble (All 00h)				1 row
RS <sub>BCA1</sub>	I <sub>0</sub>	I <sub>1</sub>	I <sub>2</sub>	I <sub>3</sub>	4n rows (1≤n≤12)
RS <sub>BCA1</sub>	I <sub>4</sub>	I <sub>5</sub>	I <sub>6</sub>	I <sub>7</sub>	
RS <sub>BCA1</sub>	:	:	:	:	
RS <sub>BCA1</sub>	:	:	:	:	
RS <sub>BCA2</sub>	:	:	:	:	
:					
:					
RS <sub>BCAi-i</sub>	Information				
RS <sub>BCAi</sub>					
RS <sub>BCAi</sub>					
RS <sub>BCAi</sub>					
RS <sub>BCAi</sub>					
RS <sub>BCAi+i</sub>					
:					
:					
RS <sub>BCAn-i</sub>					
RS <sub>BCAn</sub>	:	:	:	:	
RS <sub>BCAn</sub>	:	:	:	:	
RS <sub>BCAn</sub>	I <sub>16n-8</sub>	I <sub>16n-7</sub>	I <sub>16n-6</sub>	I <sub>16n-5</sub>	
RS <sub>BCAn</sub>	EDC <sub>BCA</sub> (4 bytes)				
RS <sub>BCA13</sub>	C <sub>0.0</sub>	C <sub>1.0</sub>	C <sub>2.0</sub>	C <sub>3.0</sub>	4 rows
RS <sub>BCA13</sub>	:	:	ECC <sub>BCA</sub>	:	
RS <sub>BCA13</sub>	:	:	:	:	
RS <sub>BCA13</sub>	C <sub>0.3</sub>	C <sub>1.3</sub>	C <sub>2.3</sub>	C <sub>3.3</sub>	
RS <sub>BCA14</sub>	BCA – Postamble (All 55h)				1 row
RS <sub>BCA15</sub>					

(PRIOR ART)

Legend Added